

**LUMPKIN COUNTY  
BOARD OF COMMISSIONERS  
AGENDA**

Park and Recreation Community Center  
365 Riley Road  
Dahlonega, Georgia  
September 21, 2006  
9:00 A.M.

**I. CALL TO ORDER**

Vice-Chairman Hutcheson

**II. INVOCATION**

**III. PRESENTATIONS**

**IV. APPROVAL OF AGENDA**

**V. PROCLAMATION**

**VI. APPROVAL OF MINUTES**

- August 3, 2006 Special Called Meeting 8:45 a.m.
- August 7, 2006 Special Called Meeting 6:00 p.m.
- August 17, 2006 Regular Meeting 9:00 a.m.
- August 17, 2006 Public Hearing 4:00 p.m.
- August 24, 2006 Public Hearing 6:00 p.m.
- August 31, 2006 Special Called Meeting 4:00 p.m.
- September 5, 2006 Public Hearing 9:00 a.m.
- September 5, 2006 Public Hearing 7:00 p.m.
- September 7, 2006 Public Hearing 8:45 a.m.
- September 7, 2006 Work Session 9:00 a.m.
- September 12, 2006 Special Called Meeting 8:30 a.m.
- September 14, 2006 Special Called Meeting 8:30 a.m.

**VII. REPORTS**

- Department reports are on file in the Board of Commissioners Office
- Elected Officials

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**VIII. RESOLUTIONS**

- 2006-53 Adopting 2007 Budget
- 2006-54 Establishing 2006 Millage Rate  
Letter Establishing Millage Rate for Lumpkin County Schools
- 2006-55 GEFA Loan
- 2006-56 Rescind Certain Existing Resolution & Name Members to Development Authority of Lumpkin County
- 2006-57 Road Acceptance Laurel Forest Subdivision
- 2006-58 Road Acceptance Mount Olive Church Road Adjacent to Mount Olive Meadows
- 2006-59 Road Acceptance Parks Ridge Subdivision
- 2006-60 Road Acceptance Walker Hills Subdivision

**IX. CONTRACTS**

- InterAct Public Safety Systems – Maintenance Contract for Computer Aid Dispatch Software
- Georgia Secretary of State – Board of Elections Grant Application
- Ninth District Opportunity, Inc. – Lumpkin County Head Start Building
- University of Georgia/Carl Vinson Institute of Government – Salary Survey
- Georgia Department of Transportation – 2007 LARP Request
- Athletic Construction, Inc. – Grass Sod for Phase I at the Yahoola Creek Soccer Complex

**X. OTHER ITEMS**

- Random Drug Screen Policy
- ACCG Fall Policy Conference Business Session – Official Call
- Special Purpose Local Option Sales Tax (SPLOST) Bond – Exception to Purchasing Policy
- Watershed Assessment – Exception to Purchasing Policy

**XI. COMMENTS**

- COUNTY MANAGER
- CHAIRMAN
- COMMISSIONERS
- COUNTY ATTORNEY
- PUBLIC



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**XII. ANNOUNCEMENTS**

Future Meetings:

*Public Hearing – Park & Recreation Community Center  
ARC Grant/Water Interconnection  
Work Session – Park & Recreation Community Center  
Board Meeting – City Hall  
Work Session – City Hall  
Board Meeting – City Hall*

*Oct. 05, 2006 at 8:45 a.m.*

*Oct. 05, 2006 at 9:00 a.m.*

*Oct. 19, 2006 at 9:00 a.m.*

*Nov. 02, 2006 at 9:00 a.m.*

*Nov. 16, 2006 at 6:00 p.m.*

**XIII. ADJOURN**

Vice-Chairman Hutcheson

## MINUTES OF THE REGULAR MONTHLY MEETING OF THE LUMPKIN COUNTY BOARD OF COMMISSIONERS

September 21, 2006

### CALL TO ORDER

Vice-Chairman Hutcheson called the meeting to order at 9:01 a.m. John Raber, Deborah Hutcheson, Clarence Stowers and Marvin Martin were present. Chairman Stephen Gooch was not present.

### INVOCATION

Commissioner Martin gave the invocation, which was followed by the Pledge of Allegiance led by Commissioner Stowers.

### PRESENTATIONS

There were no presentations.

### APPROVAL OF AGENDA

*Motion: Commissioner Raber made a motion to approve the agenda with the addition of Hemlockfest and a report from the Building Committee.*

*Motion: Commissioner Raber amended his motion to approve the agenda with the addition of Hemlockfest, the report of the Building Committee, and Resolution 2006-61. The motion was seconded by Clarence Stowers and approved by Commissioners Raber, Stowers and Martin. Motion carried.*

### OLD BUSINESS

#### Lumpkin Coalition - Request for approval of Hemlock Benefit Concert

Forest Hilyer, Chairman of the Lumpkin Coalition asked the board to reconsider approving the festival letter that is needed for state permission to provide alcoholic beverages at this event. He spoke at length of liability and control issues.

The board pointed out the need to consider the state's original intent when allowing a two-day permit, concern that the board has not had adequate time to study this policy issue, and the fact that other fund-raising organizations had found a way to work within the existing County ordinance. The County Attorney said that the law views giving away beer free if included in the price of the entrance ticket, and selling beer to be the same thing. He said that the County's liability concern is not a criminal issue but concerns public liability pertaining to health and hygiene, traffic control, and distance requirements regarding the sale of alcoholic beverages.

*Motion: Commissioner Stowers moved to deny the request to provide a letter, which was seconded by Marvin Martin. Commissioners Stowers and Martin voted for the motion while Commissioner Raber was against the motion. Motion carried.*

### APPROVAL OF MINUTES

August 3, 2006 Special Called Meeting 8:45 a.m.  
August 7, 2006 Special Called Meeting 6:00 p.m.  
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Regular Meeting  
September 21, 2006  
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Commissioner Raber pointed out two items that needed changed. A typographical error in the August 17 minutes needs to reflect that the County Manager and the County Attorney met with Dawson County. The September 12 Special Called Meeting should reflect that Commissioner Raber made a motion concerning the Sheriff but the board decided that a motion was not necessary.

**Motion:** Commissioner Raber moved to accept all the minutes as a consent agenda with the changes as discussed. This motion was seconded by Clarence Stowers and approved by John Raber, Clarence Stowers and Marvin Martin. Motion carried.

## REPORTS

Department reports are on file in the Board of Commissioners Office  
Elected Officials

## RESOLUTIONS

### 2006-53 Adopting 2007 Budget

Vice-Chairman Hutcheson read a resolution to establish and adopt the 2007 Lumpkin County Budget.

**Motion:** Commissioner Martin made a motion to adopt the budget, which was seconded by John Raber. Commissioners Raber and Martin approved the motion but Commissioner Stowers opposed it. Motion carried.

### 2006-54 Establishing 2006 Millage Rate

Vice-Chairman Hutcheson read a resolution to establish the 2006 ad valorem tax mileage rate. She also read a letter from Lumpkin County Schools setting the 2007 maintenance and operative millage rate for Lumpkin County Schools.

**Motion:** Commissioner Martin moved to approve the resolution, which was seconded by John Raber though Commissioner Raber stated that his motion is under protest because he thinks the board should look at special tax districts. Commissioners Raber, Stowers and Martin approved the motion. Motion carried.

### 2006-55 GEFA Loan

Vice-Chairman Hutcheson asked District Commissioner Stowers to read this resolution to approve the signing of the Georgia Environmental Facilities Authority (GEFA) Loan for payment of a portion of the costs of the Yahoola Reservoir.

**Motion:** Commissioner Raber made a motion to approve the resolution. The motion was seconded by Clarence Stowers and approved by John Raber, Clarence Stowers and Marvin Martin. Motion carried.

### 2006-56 Rescind Certain Existing Resolution & Name Members to Development Authority of Lumpkin County

At Vice-Chairman Hutcheson's request Commissioner Raber read the resolution.



***Motion:** Commissioner Stowers moved that this resolution be approved after amending Seat 1 to read "with a term ending March 7, 2010". This motion was seconded by John Raber and approved by District Commissioners Raber, Stowers and Martin. Motion carried.*

2006-57 Road Acceptance Laurel Forest Subdivision

2006-58 Road Acceptance Mount Olive Church Road Adjacent to Mount Olive Meadows

2006-59 Road Acceptance Parks Ridge Subdivision

2006-60 Road Acceptance Walker Hills Subdivision

***Motion:** Commissioner Martin made a motion to delay voting on the road resolutions, which was seconded by John Raber. Commissioners Raber, Stowers and Martin approved the motion. Motion carried.*

2006-61 Road Abandonment

Commissioner Martin read the resolution abandoning Bryant Road and a portion of Summit Drive (known as Old Airport Road).

***Motion:** Commissioner Raber made a motion to approve the resolution, which was seconded by Clarence Stowers.*

Commissioner Raber withdrew the motion to make a correction clarifying what portion of Summit Road was to be abandoned.

***Motion:** Commissioner Raber moved to accept the resolution providing that it say "a portion of Summit Drive as set out on attached Exhibit A", with Exhibit A being the plat provided by the developer. The motion was seconded by Clarence Stowers, which was approved by Commissioners Raber, Stowers and Martin. Motion carried.*

**CONTRACTS**

InterAct Public Safety Systems – Maintenance Contract for Computer Aid Dispatch Software

Georgia Secretary of State – Board of Elections Grant Application – this is actually approval to go forward

Ninth District Opportunity, Inc. – Lumpkin County Head Start Building

University of Georgia/Carl Vinson Institute of Government – Salary Survey

Georgia Department of Transportation – 2007 LARP Request

***Motion:** Commissioner Stowers moved that the five contracts be approved as a consent agenda, which was seconded by Marvin Martin. District Commissioners Raber, Stowers and Martin approved. Motion carried.*

Athletic Construction, Inc. – Grass Sod for Phase I at the Yahoola Creek Soccer Complex

This contract is for sod and sod delivery only. The Park and Recreation staff will provide Labor.

***Motion:** Commissioner Stowers moved to approve this contract. Marvin Martin seconded the motion and District Commissioners Raber, Stowers and Martin approved the motion. Motion carried.*

Vice-Chairman Hutcheson called for a break at 10:11 a.m. The meeting resumed at 10:16 a.m.

**OTHER ITEMS**

Random Drug Screen Policy

This policy covers pre-employment, post-accident and random testing for controlled and illegal substances. The proposed policy is based on a model provided by ACCG.



**Motion:** Commissioner Stowers made a motion to approve this policy, which was seconded by Marvin Martin. District Commissioners Raber, Stowers and Martin approved the motion. Motion carried.

ACCG Fall Policy Conference Business Session – Official Call

A voting delegate may be appointed to cast the County's vote on policies considered at this conference.

**Motion:** Clarence Stowers made a motion to approve Chairman Stephen Gooch to represent the County. The motion was seconded by Marvin Martin, which was approved by commissioners Raber, Stowers and Martin. Motion carried.

Special Purpose Local Option Sales Tax (SPLOST) Bond – Exception to Purchasing Policy

The County Manager asked that when the SPLOST Referendum is passed that we be allowed to do a bond RFQ rather than the usual bid policy.

**Motion:** Commissioner Stowers moved that this be approved with Marvin Martin seconding. District Commissioners Raber, Stowers and Martin approved. Motion carried.

Watershed Assessment – Exception to Purchasing Policy

The County Manager explained that this assessment is needed and that the County has available money in this year's budget. He said that money could be saved with this exception if we can get a good quote from Jordan, Jones and Goulding, who did the City's assessment.

**Motion:** Commissioner Martin made a motion to approve the exception. The motion was seconded by John Raber and approved by John Raber, Clarence Stowers and Marvin Martin. Motion carried.

Building Committee

Commissioner Raber commented on those items in the Building Committee's written report that he wanted the board to act on right away.

**Motion:** Commissioner Raber moved to proceed with the building committee's recommendations. Clarence Stowers seconded the motion. Commissioners Raber, Stowers and Martin approved. Motion carried.

**COMMENTS**

COUNTY MANAGER

The County Manager is requesting guidance from the board on matters that may arise with the City when they request that the County pay 46% of costs. The County Manager will arrange a special meeting between the City and the board to discuss concerns about the reservoir.

The County Manager is requesting that the board allow him to reject all bids for the irrigation system at Park and Recreation. He wants the County to do the work using inmates as he thinks this will save a great deal of money. Materials will need to be purchased.

**Motion:** Commissioner Raber made a motion to allow the County to reject all the bids. This motion was seconded by Marvin Martin and approved by Commissioners Raber, Stowers and Martin. Motion carried.

CHAIRMAN

The Chairman is out of town.

COMMISSIONERS

Commissioner Raber said he is concerned about what he is reading in Lumpkin Sunshine and the Dahlonega Nugget "Letters to the Editor". Commissioner Raber wants to know what is best way to proceed when these



types of issues come up. He feels that the board is being challenged. Vice-Chairman Hutcheson stated that if there is proof someone is guilty of wrongdoing that it should be taken up with the District Attorney. Commissioner Stowers and Martin said they didn't feel the need to comment on this.

Commissioner Stowers asked for guidance from the board on what type of information is needed on the airport. The sense of the board was that they would like something similar to what Commissioner Raber did with the building committee.

Charles Trammel pointed out that the LARP program is finished for 2006. He said he wants to stress that the priority list is created by a "needs rating" of all roads. Damascus Church and Town Creek Church Road Bridges are going to be worked on. The upgrading of Auraria Road has been put on hold per Mr. Trammel's request.

#### COUNTY ATTORNEY

The County Attorney asked that the board strongly encourage boards, authorities and committees to provide the Board of Commissioners office with updated information. The board is supportive of Mr. Horne's request.

#### PUBLIC

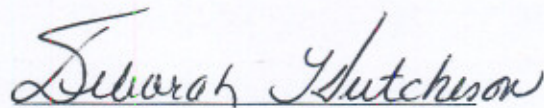
Jimmy Anderson said that he would not stand by and allow his family to be libeled. He gave a summary of events of the subdivision that he co-owns with Stephen Gooch. Mr. Anderson said he has hired an attorney.

#### ADJOURN

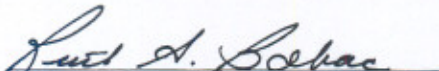
Vice-Chairman called for a motion to adjourn the meeting to adjourn at 11:17 a.m.

*Motion: Commissioner Martin moved that the meeting be adjourned which John Raber seconded. Commissioners Raber, Stowers and Martin approved. Motion carried.*

10/19/2006  
Date

  
Deborah Hutcheson, Vice-Chairman  
Lumpkin County Board of Commissioners

Attest:

  
Ruth A. Bohac  
Clerk, Lumpkin County